

As a result, a business that has been in a family for generations can be lost overnight because of the enormous burden of the death tax. And when a business leaves its family roots, there can be a loss of pride in the fundamental traditions that helped make the business successful. This is not the legacy parents want to leave their children and grandchildren.

Aside from the harmful effects the death tax has on family small businesses, there is an inherent injustice in re-taxing assets. Because taxes have already been paid on accumulated gains over a lifetime, the death tax constitutes a double taxation. Re-taxing a person's assets when they die is equivalent to purchasing from the government what already belongs to a family.

Resources that otherwise would have been utilized to hire more employees or invest in capital are underused when families are forced to make alternative plans for dealing with the death tax. This results in fewer jobs and a less robust economy.

According to the Joint Economic Committee, the death tax results in a reduction of stock in the economy by nearly \$500 billion. When businesses cease to grow efficiently, fewer jobs are made available to the unemployed.

South-central Kansas has experienced several years of high unemployment following the economic downturn after 9/11. We must do all we can to help bring jobs back to those who need them. Permanently eliminating the death tax is one way we can help the economy fully rebound, which means more high-quality, high-paying jobs for Americans.

Because small businesses are so important in providing jobs for Americans, the death tax is a tax on jobs. Small, family-owned businesses are especially vulnerable to the death tax because most small-business owners have the entire value of their business in their estate.

According to one study, more than 70 percent of family businesses do not survive the second generation, and 87 percent do not make it to the third generation. The threat of the death tax forces small-business owners to pay for expensive "estate planning" just to keep the business in the family. Instead of helping families maintain and grow their small businesses, the Federal Government will be able to seize about half the business unless the death tax is repealed.

I urge my colleagues to join me today in once again voting to end this tax that has caused so much harm to so many American families.

RECOGNIZING THE LIFE AND  
WORK OF OFFICER STEVEN  
ZOURKAS

**HON. JANICE D. SCHAKOWSKY**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 19, 2005*

Ms. SCHAKOWSKY. Mr. Speaker, I rise today in honor and remembrance of Steven Zourkas, devoted husband, father, brother, friend and dedicated public servant. Mr. Zourkas' commitment to the safety of residents defined his four-year tenure of outstanding public service as a police officer with the Village of Niles. He also served as an evidence technician with the North Regional Major Crimes Task Force.

Mr. Zourkas graduated from Niles North High School. A former paramedic, Mr. Zourkas joined the Niles Police Department four years ago and rose to become one of the department's top auto accident investigators. The Niles Village Board recently honored Zourkas at their March 22, 2005, meeting for helping to solve a burglary.

Friends and colleagues said they will remember Mr. Zourkas for his tremendous personality and utmost dedication to his job. Mr. Zourkas died after losing control of his police car to avoid hitting a pedestrian. Mr. Zourkas saved a man's life but in the process lost his own. Mr. Zourkas is believed to be the first Niles police officer to die in the line of duty.

Mr. Speaker and Colleagues, please join me in honor, gratitude and remembrance of Mr. Steven Zourkas. As a police officer, Mr. Zourkas dedicated his professional life to the safety of his officers and the security and safety of the entire Village of Niles. I extend my deepest condolences to his beloved wife, Ivy; his beloved sons, Andrew and John; his beloved parents, Anthony and Elaine Zourkas; his beloved brothers, Anthony and George; and also to his extended family and many friends. His courage and kindness will live on forever within the hearts and memories of his family, friends, and the public he so faithfully served.

I commend my Colleagues' attention to the article remembering Mr. Zourkas, which was published in the Niles Journal on April 13, 2005.

[From the Niles Journal, Apr. 13, 2005]

"HE'LL BE SORELY MISSED"—NILES POLICE  
REMEMBER FIRST OFFICER TO DIE IN LINE  
OF DUTY

(By Michael Sebastian)

During a damp and cool Tuesday morning more than 250 squad cars from various Illinois police departments followed a somber procession through Niles to Elmwood Cemetery in River Grove where the first Village of Niles police officer to die in the line of duty was laid to rest.

Niles police Officer Steven Zourkas, 33, was killed early last Friday (Apr. 8) while traveling in his squad car west along Golf Road. Zourkas was heading to a disturbance call that was reportedly between a cab driver and passenger at Omega Restaurant, 9100 W. Golf Rd., when he lost control of his squad car and crossed over into the east bound lanes of traffic on Golf Road. The car slid to a violent halt in the Highland Towers condominium parking lot after it turned over on its passenger side and struck two parked cars. The accident, which occurred in the 8800 block of Golf Road, snarled traffic last Friday morning for hours. Emergency workers crowded the scene as radio and television news helicopters hovered above.

Officials said Officer Zourkas died at the scene from injuries associated with the accident. He was 33 years old and a member of the Niles Police Dept. for the past four years. He is survived by his wife and a five month old son. Officials would only say Zourkas was from a "far northwest suburb."

As accident investigators from the Cook County Sheriff's office continue to piece the morning's events together, reports have indicated that Zourkas swerved his squad car to avoid a pedestrian who was stepping off the curb on Golf Road as the officer approached. Although this could not be confirmed with police by press time, Niles Mayor Nicholas Blase said this pedestrian came to the Niles Police Dept. last week to tell officials he was the man that stepped from the curb.

Niles police Sgt. James Elenz noted last week that Zourkas was among the department's top auto accident investigators.

Flags have flown at half staff in Niles since the tragic accident occurred last Friday. Black and purple cloth is draped over the entrance to the Niles Police Station, at Touhy and Milwaukee Avenues, in honor of Zourkas. Niles police personnel are also wearing black armbands in memory of their fallen member.

Friday's accident marks the first time in Village of Niles history that a police officer died in the line of duty. Village Manager Mary Kay Morrissey said social workers and grief counselors have been available to help those mourning Zourkas' death. Members of the second and third shifts have shuffled their schedules so the officers who worked with Zourkas during the first shift, which lasts into the morning's wee hours, can begin coping with the loss. According to Blase, a female officer at the department is continuing to help Zourkas' wife as she mourns the loss of her husband.

"He was one of those very well liked policeman—exceptionally so," Mayor Blase said.

Members of the police department are describing Zourkas as man with a tremendous personality who was very dedicated to his job.

"Everyone liked him," Blase said about Zourkas. "He was a very able guy and because of that the tragedy intensifies."

"So many people are grieving."

"He'll be sorely missed."

The funeral held Tuesday was an appropriate send-off for Zourkas, said Niles fire Deputy Chief Barry Mueller, who, along with numerous others from the village, attended the ceremonies. Two fire engines from Elmwood Park crossed their ladders at the entrance of the cemetery in River Grove. A large American flag was draped from the ladders. Later, about 25 bagpipers played, Mueller said.

Village Manager Mary Kay Morrissey said being part of the enormous line of mourners driving from the funeral mass to the cemetery was unlike anything she'd ever seen before. Squad cars with their lights activated stretched as far as most in the procession line could see. Blase estimated that at least one hundred Illinois police departments, probably more, were represented during the funeral. Some downstate communities sent representatives to the ceremony, he said.

Streets in each community the funeral procession passed were blocked by various police departments, officials said. Even ramps leading to and from I-90 were blocked to make way for the mourners.

Morrissey praised the Niles Police Dept. for organizing the funeral during this difficult time. "There's certain protocol you follow when someone is killed in action," Morrissey explained. "I'm very proud of the way the police came together."

Visitation took place at Colonial Wojciechowski Funeral Home, 8025 W. Golf Rd., on Monday (Apr. 11). Tuesday the line of mourners proceeded from the funeral home to St. Isaac Jogues Church at 8149 Golf Road for a funeral mass. Various lanes of traffic on Golf Road were blocked-off Tuesday from about Washington Avenue to Milwaukee Avenue, according to Morrissey. Streets leading into Golf Road were also closed, officials said.

The funeral procession traveled from St. Isaac Jogues south along Milwaukee Avenue to Touhy Avenue so Zourkas could once more pass the Niles Police Dept. The car then drove along Touhy Avenue to Cumberland then south to Belmont Avenue and the cemetery.

# HONORING THE CONTRIBUTIONS OF HULDA KERCHEVILLE

## HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 19, 2005*

Mr. CUELLAR. Mr. Speaker, I rise today to recognize the public service of Hulda Kercheville of Hernandez Intermediate School. Hulda Kercheville grew up in Martindale, Texas. As the eldest of six children, she spent much of her youth helping her parents care for her of siblings.

Mrs. Kercheville has chosen to lead a life filled with good examples for our children. She is no stranger to hard work, having served as both an educator and a former Hays County Constable.

Hulda Kercheville has taught our kids for the last thirty-five years. She is retiring from Hernandez Intermediate School, and receiving the honorary distinction of Teacher of the Year.

Hulda Kercheville survives her husband Jack Kercheville. Her four children: Michael, Cheryl, Mary, and Jaclyn, now have children and grandchildren of their own.

It is an honor to recognize the hard work and dedication of Hulda Kercheville. Her passion for the education of our students has inspired generations of Texans.

# HONORING SUPER BOWL XXXIX'S MOST VALUABLE PLAYER, DEION BRANCH

## HON. SANFORD D. BISHOP

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 19, 2005*

Mr. BISHOP of Georgia. Mr. Speaker, it is an honor for me to rise in recognition of an outstanding athlete and a beloved Georgian, Mr. Deion Branch, Super Bowl XXXIX's Most Valuable Player. Earlier this year we recognized the New England Patriots when they won Super Bowl XXXIX, their third Super Bowl victory in four years. Only one other team has ever won the Lombardi Trophy so many times in so few years, yet no other receiver in history has put together back-to-back performances like Deion Branch.

In Super Bowl XXXVIII, which the Patriots won 32-29 over the Carolina Panthers, Deion Branch caught 10 passes for 143 yards, including the game's first touchdown and the catch that set up the Patriot's winning field goal. He should have won MVP then, but this year he bested even himself, tying the Super Bowl record with 11 catches for a total of 133 yards.

From the days when he was deemed too small for middle school football, to his years on the Monroe High School team, to the University of Louisville, to his historic career in professional football, Deion Branch has made up for what he lacks in size with a spirit and a talent that defines him as one of the best to ever play the game.

This Saturday, April 23, 2005, we will be observing "Deion Branch Day" in the City of Albany, with all of the pomp and circumstance due our hometown hero. But here in these hallowed walls, I rise on behalf of the city of Albany, Georgia, the 2nd Congressional Dis-

trict and football fans everywhere to recognize his outstanding achievement and to wish him continued success in his already remarkable career.

# BANKRUPTCY ABUSE PREVENTION AND CONSUMER PROTECTION ACT OF 2005

SPEECH OF

## HON. DENNIS MOORE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 14, 2005*

Mr. MOORE of Kansas. Mr. Speaker, I rise today in support of S. 256, the Bankruptcy Abuse Prevention and Consumer Protection Act.

The bankruptcy bill before us today is the product of years of bipartisan discussions and compromises, and while this legislation is not perfect, it is a serious, good faith effort to reform our bankruptcy laws and reduce the worst abuses in the consumer bankruptcy system. The House has passed substantially similar legislation with strong majorities in each of the last four Congresses, and the Senate followed suit last month when it passed S. 256 by a 3-1 margin. Bankruptcy filings have increased by 70 percent over the last decade, and last year alone Americans filed over 1.6 million consumer bankruptcy petitions. S. 256 will not eliminate bankruptcy filings in our country, but it is a necessary effort to change the status quo and ensure that only those debtors who most need the bankruptcy system will be able to use it.

S. 256 would raise the repayment priority of domestic support obligations, including alimony and child support, from seventh to first, and would make failure to pay domestic support obligations a cause for conversion or dismissal of a debtor's case.

S. 256 would also protect tax-exempt retirement savings accounts from creditors' claims. The bill expressly upholds the Supreme Court's recent ruling that creditors may not seize Individual Retirement Accounts [IRAs] when people file for bankruptcy, ensuring protection for retirement accounts relied upon by millions of Americans. Consequently, IRAs now join 401(k)s, Social Security, and other benefits tied to age, illness or disability that are afforded protection under bankruptcy law.

Further, S. 256 would make non-dischargeable credit card purchases of \$500 or more, if made within 90 days of filing for bankruptcy, and all cash advances that total \$750 or more, if made within 70 days of filing. Sometimes consumers who know that they will have to file for bankruptcy protection make excessive purchases on credit with the full knowledge that they will never have to repay this debt. Approximately \$44 billion in consumer debt is erased each year through bankruptcy, and this discharged debt increases the costs of goods and services for all consumers. Retailers pass on to consumers the costs that are lost to bankruptcy, and the means test included in S. 256 could save between \$4 billion and \$5 billion of this discharged debt.

Additionally, the bill seeks to tighten the homestead exemption by limiting the amount of equity a homeowner could protect if a piece of property in a homestead exemption state is purchased within the 40-month period prior to

a bankruptcy filing. Bankruptcy filers convicted of a range of crimes, including fraud, violations of securities laws, and criminal acts resulting in injury or death would lose the ability to shield their assets in property holdings regardless of when they purchased their property. The bankruptcy bill's homestead exemption provisions attempt to ensure that wealthy debtors with the means to payoff at least some of their debts will no longer be able to hide behind the bankruptcy system.

As some opponents of the bill have noted, some debtors are forced to file for bankruptcy as a result of unmanageable medical bills, divorce, or job loss. These financial hardships unfortunately happen every day, and too often prevent honest, hardworking individuals and families from getting ahead or pulling themselves out of debt. This legislation seeks to protect the ability of these debtors to file for relief under Chapter 7 of the bankruptcy code by creating a means test that will continue to allow low-income debtors who earn less than the median income of the state in which they live to file under Chapter 7. According to the 2000 Census, the median household income in my congressional district is approximately \$51,000. The means test recognizes that those in our society who are the least able to repay their debts should have the opportunity to enjoy a fresh start in life. And because many debtors are forced to file for bankruptcy as a result of medical expenses, S. 256 allows bankruptcy filers to challenge the means test by demonstrating "special circumstances," such as a serious medical condition, that justify additional expenses or adjustments to their income. Individuals who are forced to file for bankruptcy due to medical expenses should be able to emerge from bankruptcy with the possibility of a second chance in life.

Finally, S. 256 contains several provisions that seek to improve consumers' financial literacy in an attempt to decrease the total number of future bankruptcy filings. The bill would require debtors to receive credit counseling from a non-profit credit counseling agency prior to filing for bankruptcy, and requires filers to complete an approved instructional course on personal financial management before receiving a discharge under either Chapter 7 or Chapter 13.

Mr. Speaker, while S. 256 is certainly not a perfect piece of legislation, it is my hope that this bill will reduce the number of bankruptcy filings in our country and maintain a fair bankruptcy system for those who need it the most in our society.

# HONORING THE CONTRIBUTIONS OF MARY ANNE GUERRERO KOLB, CROCKETT ELEMENTARY SCHOOL TEACHER OF THE YEAR

## HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 19, 2005*

Mr. CUELLAR. Mr. Speaker, I rise to recognize the many accomplishments of Mary Anne Guerrero Kolb, Crockett Elementary School Teacher of the Year.

Mrs. Kolb graduated from Texas State University in 1974 with a B.S. in education, and in 1981 with a Masters in Education. She has taught kindergarten for the San Marcos Consolidated Independent School District for 30